

Employee Housing Regulations

Article 3. Administration and Enforcement

§ 620. Enforcement

Enforcement of this subchapter shall be governed by Sections 17050, 17051 and 17052 of the Health and Safety Code.

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17050, 17051 and 17052, Health and Safety Code.

§ 621. Local Assumption of Enforcement Responsibility

(a) The assumption of responsibility for the enforcement of the Employee Housing Act and the provisions of this subchapter by a city, county, or city and county shall be by means of any official ordinance, resolution or minute order of the city council or board of supervisors which shall contain the following information:

(1) The indication of request for assumption of responsibility for the enforcement of the Employee Housing Act and this subchapter.

(2) The name of the agency, department or departments designated responsibility for administration and enforcement.

(3) The effective date desired for assumption of enforcement responsibilities.

(4) The fee schedule to be used by enforcement agency.

(b) Two certified copies of the ordinance, resolution or minute order shall be forwarded to the department not less than 180 days prior to the date of desired assumption of enforcement responsibility in order to facilitate the qualification of the appointed enforcement agency. Said assumption date shall be designated as either January 1 or July 1 following the notification and the approval by the department.

(c) The department shall acknowledge receipt of the request for assumption of enforcement responsibility and shall advise the local enforcement agency to apply for the approval.

(d) Prior to approval, the personnel designated to perform labor camp or employee community housing inspections shall demonstrate actual inspection capabilities to the satisfaction of the department.

(e) The department shall advise the local jurisdictions of the accepted effective date upon the approval of the inspection personnel. The department will forward to the local jurisdiction a list of all the labor camps and employee community housing with permits to operate on the effective date together with the inspection reports and the pertinent data as required.

(f) Every city, county, or city and county which has been approved by the department for the enforcement of the Employee Housing Act, shall enforce all of the provisions of this subchapter.

(g) Every city, county, or city and county which assumes responsibility for enforcement of the Employee Housing Act shall comply with all of the provisions of chapter 5.5 of this division, beginning with section 5802, regarding verification of the eligibility of applicants for permits to operate labor camps to receive public benefits.

(h) All local enforcement agencies shall be evaluated by the department annually.

(i) The department may revoke its approval of a local enforcement agency for cause.

Note: Authority cited: Sections 17003.5 and 17050, Health and Safety Code. Reference: 8 U.S.C. Sections 1621, 1641 and 1642; and Section 17050, Health and Safety Code.

§ 623. Filing of Complaints

(a) The provisions of this subchapter for filing complaints are governed by Sections 17053, 17054, and 17055 of the Health and Safety Code.

(b) A copy of all complaints received by a local enforcement agency shall be submitted to the Department of Housing and Community Development, Division of Codes and Standards, at its administrative office. The copies

Employee Housing Regulations

of all written reports issued on all complaints will also be submitted to the department until the complaint is resolved.

Note: The final appeal authority when the appeal relates to a building standard is the State Building Standards Commission. Section 18945, Health and Safety Code.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17053, 17054 and 17055, Health and Safety Code.

§ 624. Information Notice

(a) An appropriate notice in English and Spanish, prepared by the department, shall be posted in all occupied labor camps or employee community housing.

(b) The notice will outline the basic requirements of the Employee Housing Act which relate to maintenance, use and occupancy of a labor camp or employee community housing.

(c) The enforcement agency shall obtain the number of notices necessary from the department.

Note: Authority cited: Sections 17003.5, 17040 and 17050, Health and Safety Code. Reference: Sections 17040 and 17050, Health and Safety Code.

§ 625. Posting of Notices

(a) The enforcement agency shall post such notice or require the camp or employee community housing operator to post such notice, in one or more conspicuous central locations accessible to the occupant housed within the labor camp or employee community housing.

(b) The notice shall include a notation prepared by the enforcement agency giving the following information.

(1) Name of enforcement official to contact.

(2) Name of the enforcement agency.

(3) Address of enforcement agency's office to be contacted.

(4) Telephone number for contacting the responsible agency personnel.

(c) The required notice shall remain posted during all periods in which the labor camp or employee community housing is occupied.

(d) A bulletin board securely attached to the wall or a suitable wall surface shall be designated for the purpose of posting required notices.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Sections 17040 and 17050, Health and Safety Code.

§ 626. Operator's Responsibility

(a) Every labor camp whether occupied or not, with a valid permit to operate or employee community housing shall comply with those portions of this subchapter specifically applicable to them except that portable equipment, which is actually moved or can easily be moved from one place to another in normal use, need not be maintained in an unoccupied labor camp.

(b) The person owning a labor camp or employee community housing shall also be considered to be the operator of a labor camp, even though the property and facilities comprising the labor camp or employee community housing may be leased to another person. A person is any individual, company, society, firm, partnership, association or corporation.

(c) Where a labor camp or employee community housing is located on property owned by any governmental agency, a lessee shall also be considered to be the operator of a labor camp or employee community housing if he or she has leased the property and facilities comprising the labor camp or employee community housing.

Employee Housing Regulations

Note: Authority cited: Sections 17003.5, 17036, 17040 and 17050, Health and Safety Code. Reference: Sections 17036, 17040 and 17050, Health and Safety Code.

§ 627. Responsible Person

The name, address and telephone number of the responsible person as set forth in Section 17038 of the Health and Safety Code shall be posted in a conspicuous place on the premises if he or she does not reside on or is not available on the premises.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17038, Health and Safety Code.

§ 628. Occupant's Responsibility

Every occupant of a labor camp or employee community housing shall properly use the facilities furnished and shall comply with the relevant maintenance and sanitation provisions of this subchapter.

Note: Authority cited: Sections 17003.5 and 17040, Health and Safety Code. Reference: Section 17040, Health and Safety Code.